

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, )  
                               )  
                               )  
Plaintiff,                 ) NO. CR-08-6057-LRS  
                               )  
v.                             )  
                               )  
BENJAMIN DAVIS GROTE,     )  
                               )  
Defendant.                 )  
                               )

On March 2, 2009, this court held a bail review hearing. Robert Ellis appeared for the government and the defendant was present with counsel, Kraig Gardner

The motion to **expedite** is granted (Ct. Rec. 106).

The Court heard argument from counsel and granted the motion to modify conditions of release (**Ctr. Rec. 104**).

**IT IS ORDERED** that the January 12, 2009 Order Granting Defendant's Motion for Review of Detention and Setting Conditions of Release is modified as follows:

1. Paragraph 27 is removed and replaced with the condition that Defendant shall be subject to random drug testing at the direction of U.S. Probation. Additionally, Defendant is not required to call in to Probation or make emergency travel arrangements for purposes of testing.

2. A Vicap breath alcohol measuring device will be placed in defendant's home and the Defendant shall submit to random breath testing at the direction of U.S. Probation.

DATED this 2<sup>nd</sup> day of March, 2009.

s/James P. Hutton  
JAMES P. HUTTON

United States Magistrate Judge

## ORDER